

REMARKS

Claims 1-2, 4-6, 8-31, 33, 35-43, 45-64 are pending in this application. Claims 1, 11, 21, 25, 31, 45, 46, and 63 are independent. Claims 1, 9-11, 21, 22, 24-25, 31, 45-46, 50, 56, 57, 58, 63, and 64 have been amended. No new matter is presented. Claims 3, 7, 32, 34, and 44 were previously canceled without prejudice. Claims 4, 37, 49, 51-52, and 55 have been canceled without prejudice. In response to the finality of the Office Action, Applicant respectfully submits herewith a Request for Continued Examination.

Claims 45 and 63-64 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant respectfully submits that the Specification provides the corresponding structure for the claimed function. In particular, the Specification recites a computer or computing device in numerous instances (see, e.g., Paragraphs [0027], [0029], [0034], [0035], [0038], [0043], and [0081]). Further, the flow charts and code in the Figures illustrate that a computer or computing device is performing the steps of the claims. Thus, a computing device is the corresponding structure that performs the claimed means plus function steps of claim 45.

Amended claim 63 now recites a processor and a display for displaying predetermined perceptible information; and perceptible, changeable search queries that have been filtered in accordance with filter criteria, wherein the filter criteria is demographic criteria. With the current amendment, claim 63 is directed to a computing device. As a result, the 35 U.S.C. 112, second paragraph rejections should be removed.

Claims 46-64 were rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter. Applicant respectfully disagrees and submits that a computing device performs a plurality of the steps of the independent claims. In particular, with respect to claim 46, the computing device provides a feed of search queries and provides advertising content. Applicant respectfully submits that these steps do provide a meaningful limit on the scope of the claim. Nonetheless, without conceding the correctness of this rejection, and solely to advance prosecution of the pending claims, Applicant amends claim 46. No new matter is presented. Further, without conceding the correctness of this rejection, and solely to advance prosecution of the pending claims, Applicant has amended claims 62 and 63. Applicant respectfully submits that the 101 rejections have now been overcome.

Claims 1-2, 4-6, 8-15, 17-18, 20-23, 25-27, 29-31, 33, 36-41, 43, 45, and 62-64 were rejected under 35 U.S.C. 102(a) and (e) as being anticipated by U.S. Patent Publication 2004/0078214 (Speiser).

Speiser describes a method and system of providing listing recommendations to users of a network-based commerce system. The method includes identifying at least one frequently used search term associated with an identified division. A link is provided to the user to listings associated with the frequently used search term. The search terms may be ranked by retrieving frequently used search terms from a first memory location and determining a number of listings in each division associated with each frequently used search term. Each frequently used search term may then be ranked based on the number of listings in each division.

Applicant's disclosure relates to systems and methods for providing display, and, more particularly, systems and methods for monitoring and filtering data entered by Internet users in one location for display to viewers in other locations to promote products and services on a display medium, such as a computer or outdoor billboard. Filtering is performed to remove, by way of non-limiting example, explicit or offensive search terms. Certain embodiments of the invention include receiving search queries from multiple users, filtering the search queries based on one or more filtering criteria, and initiating display of filtered search queries to viewers, the viewers remote from the users.

Independent claim 1 recites, in part:

filtering, by the computing device, the search queries based on one or more filtering criteria, the filtering criteria including demographic criteria and the filtering comprising identifying queries having demographic information matching the demographic criteria;

The Office Action states that the above claim element is found in Speiser at Paragraphs [0045] and [0047]. Paragraph [0047] of Speiser states that Speiser's popular search term list identifies a site via specific criterion (e.g., country, language, type of listings offered, etc.). Speiser's sites are identified via its Site ID - by, for example, country, language, etc. Applicant respectfully submits that Speiser does not teach or suggest identifying search queries having associated demographic information, as claimed. Speiser's web sites are not search queries as claimed. Therefore, Speiser does not teach or suggest identifying search queries having associated demographic information, as claimed.

Further, independent claim 1 also recites the step of filtering the search queries based on one or more filtering criteria, the filtering criteria including demographic criteria. The Office Action states (Pages 31-32) that Speiser discloses this claim element in Fig. 5 and Paragraphs [0054] and [0056]. Applicant respectfully submits that Fig. 5 illustrates retrieving a popular search phrase from a popular search phrase ranking table (step 102) and determining if the popular search phrase meets a threshold value (step 104). Fig. 5 does not disclose filtering the search queries based on filtering criteria including demographic criteria. Paragraphs [0054] and [0056] of Speiser describe filtering based on a list of filter words, but neither paragraph (or Fig. 5) teach or suggest filtering search queries based on filtering criteria, where the filtering criteria includes demographic criteria, as claimed. There is no filtering based on demographic criteria in Speiser.

Dependent claim 4 has also been incorporated into independent claim 1. Amended independent claim 1 now recites, in part:

selecting demographic criteria to match viewer demographics of viewers of the filtered search queries, the filtering comprising identifying queries having demographic information matching the viewer demographics, thereby initiating display of filtered search queries relevant to the viewers.

The Office Action states that Speiser discloses the above claim element in Paragraphs [0085] and [0047]. Paragraph [0085] discloses a user interface to display popular search phrases or terms to a user. Paragraph [0047] of Speiser states that Speiser's popular search term list identifies a site via specific criterion (e.g., country, language, type of listings offered, etc.). Applicant respectfully submits that neither paragraph of Speiser teach or suggest selecting demographic criteria to match viewer demographics, where the filtering comprises identifying queries having demographic information matching the viewer demographics, thereby initiating display of filtered search queries relevant to the viewers, as claimed.

As a result, claim 1 and the claims that depend from claim 1 are believed to be in condition for allowance over Speiser, alone or in combination with any other art of record. Additionally, independent claims 11, 25, 31, 45, and 63 are also allowable over Speiser, alone or in combination with any other art of record, for the reasons as stated above.

Further, independent claim 21 states, in part:

receiving, by a computing device, user queries from multiple users via an on-line help application;

automatically selecting, by the computing device, received user input for display based on filtering criteria; and
facilitating, by the computing device, display of data based on the selected user input to users.

The Office Action states that the above claim elements are disclosed in Speiser at Paragraphs [0027], [0032], and [0056]. The Office Action states, on Page 32, that Speiser's search terms are considered the input as previously claimed. Applicant has amended independent claim 21 to state that user queries are received from multiple users via an on-line help application. Speiser does not teach or suggest this claim element. Speiser's users enter "search phrases" (See Speiser, Fig. 5) or search terms into a network-based commerce system but Speiser does not teach or suggest entering queries into an on-line help application. Speiser's search system is not a help application where a user can enter a query and receive one or more answers to the query from the help application. Speiser does not disclose an on-line help application.

Further, independent claim 62 states, in part:

a display for displaying
predetermined perceptible information; and
perceptible, changeable search queries that have been filtered in accordance with filter criteria, wherein the filter criteria is demographic criteria.

As stated above, Speiser does not disclose displaying search queries that have been filtered in accordance with filter criteria, where the filter criteria is demographic criteria. There is no filtering of search queries based on demographic criteria in Speiser. As a result, independent claim 62 is believed to be in condition for allowance over Speiser, alone or in combination with any other art of record.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Should matters remain which the Examiner believes could be resolved in an interview, the Examiner is requested to telephone the Applicant's representative. The Applicants' attorney may be reached by telephone at 212-801-6729. All correspondence should continue to be directed to the address given below, which is the address associated with Customer Number 76058.

The Commissioner is hereby authorized to charge any required fee in connection with the submission of this paper, any additional fees which may be required, now or in the future, or credit any overpayment to Account No. 50-1561. Please ensure that the Attorney Docket Number is referenced when charging any payments or credits for this case.

Respectfully submitted,

Date: September 29, 2010

/James J. DeCarlo/
James J. DeCarlo
Reg. No. 36,120

Customer Number 76058
GREENBERG TRAURIG, LLP
Met Life Building
200 Park Avenue, 20th Floor
New York, New York 10166
Phone: (212) 801-9200
Fax: (212) 801-6400